

**Application No.:** 10/568,229  
**Filing Date:** February 14, 2006

### **REMARKS**

Claims 1-13 will be pending in the application after entry of the present amendments.

#### Restriction Requirement

In an action electronically delivered on June 13, 2008, the Examiner required restriction of prosecution to the one of the following Groups:

- I. Claims 1-13, drawn to an alloy containing Cu, In, Ga, and Se, and S
- II. Claims 1-3 and 14-23, drawn to an alloy containing Cu, In, Ga, and Se
- III. Claims 1-3 and 24-32, drawn to an alloy containing Cu, In, Se and S
- IV. Claims 33-35, drawn to a semiconductor film
- V. Claims 36-37, drawn to a photovoltaic cell

In response to the Restriction Requirement, Applicant elects the claims of Group I, Claims 1-13 for further examination, with traverse. Applicants note that Claim 1 is currently generic to all five groups and that claims 2-37 depend from Claim 1.

Applicant requests rejoinder of Group II-V, Claims 14-37, upon allowance of a generic claim. Accordingly, Claims 14-37 have been withdrawn, as shown in the Amendments to the claims set forth above. No substantive amendments to Claims 1-37 have been made.

Applicant reserves the right to file one or more divisional applications directed to the non-elected claims.

#### No Disclaimers or Disavowals

Although the present communication includes alterations to the claims, the Applicant is not conceding in this application that previously pending claims are not patentable. Rather, any alterations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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